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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5146-03
 First Inventor JONATHAN KOST
 Title MYOTHERAPY MASSAGE DEVICE
 Express Mail Label No. EV 019686957 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
 Copy from a prior application (37 CFR 1.63 (d))
 (for continuation/divisional with Box 18 completed)
5. ☒ Oath or Declaration [Total Pages 3]
 a. ☒ Newly executed (original or copy)
 b. ☐ Copy from a prior application (37 CFR 1.63 (d))
 (for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 a. ☐ Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. ☐ CD-ROM or CD-R (2 copies); or
 ii. ☐ paper
 c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: ATTACHMENT TO PATENT APPLICATION...

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____ / _____

Prior application information:

Examiner: _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	<input type="checkbox"/> Correspondence address below	
Name	McCormick, Paulding & Huber	
Address	City Place II	
City	Hartford	State CT
Country	USA	Zip Code 06103-3402
Telephone	860.549.5290	Fax 860.527.0464

Name (Print/Type)	MARY JACQ HOLROYD, ESQ.	Registration No. (Attorney/Agent)	41,846
Signature	<i>Mary Jacq Holroyd</i>	Date	1/23/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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10921 U.S. PTO

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete If Known

Application Number	
Filing Date	
First Named Inventor	JONATHAN KOST
Examiner Name	
Group Art Unit	
Attorney Docket No.	5146-03

TOTAL AMOUNT OF PAYMENT (\$) 592.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 13-0235

Deposit Account Name McCormick, Paulding & Huber LLP

☒ Charge Any Additional Fee Requested Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES					Fee Description	Fee Paid
Large Entity Code (\$)	Small Entity Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65		Surcharge - late filing fee or oath	
127	50	227	25		Surcharge - late provisional filing fee or cover sheet	
139	130	139	130		Non-English specification	
147	2,520	147	2,520		For filing a request for ex parte reexamination	
112	920*	112	920*		Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*		Requesting publication of SIR after Examiner action	
115	110	215	55		Extension for reply within first month	
116	400	216	200		Extension for reply within second month	
117	920	217	460		Extension for reply within third month	
118	1,440	218	720		Extension for reply within fourth month	
128	1,960	228	980		Extension for reply within fifth month	
119	320	219	160		Notice of Appeal	
120	320	220	160		Filing a brief in support of an appeal	
121	280	221	140		Request for oral hearing	
138	1,510	138	1,510		Petition to institute a public use proceeding	
140	110	240	55		Petition to revive - unavoidable	
141	1,280	241	640		Petition to revive - unintentional	
142	1,280	242	640		Utility issue fee (or reissue)	
143	460	243	230		Design issue fee	
144	820	244	310		Plant issue fee	
122	130	122	130		Petitions to the Commissioner	
123	50	123	50		Processing fee under 37 CFR 1.17(g)	
126	180	126	180		Submission of Information Disclosure Sheet	
581	40	581	40		Recording each patent assignment per property (times number of properties)	
146	740	246	370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370		For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370		Request for Continued Examination (RCE)	
169	900	169	900		Request for expedited examination of a design application	
Other fee (specify) _____						
*Reduced by Basic Filing Fee Paid						
SUBTOTAL (3) (\$)						

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	Utility filing fee	370.00
105	330	205	Design filing fee	
107	510	207	Plant filing fee	
108	740	208	Reissue filing fee	
114	160	214	Provisional filing fee	
SUBTOTAL (1) (\$)				370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
40	20**	9.00	180.00
4	1	42.00	42.00
Multiple Dependent		0.00	0.00

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
103	18	203	9 Claims in excess of 20	
102	84	202	42 Independent claims in excess of 3	
104	280	204	140 Multiple dependent claim, if not paid	
109	84	209	42 ** Reissue independent claims over original patent	
110	18	210	9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)				222.00

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	MARY-JACQ HOLROYD, ESQ.	Registration No. (Attorney/Agent)	41846	Complete (if applicable)	
Signature	<i>Mary-Jacq Holroyd</i>	Telephone	4137365401	Date	1/23/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	JONATHAN KOST
Title	MYOTHERAPY MASSAGE DEVICE
Atty Docket Number	5146-03

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/23/2002

Date


Signature

MARY-JACQ HOLROYD, ESQ.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**